

**FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS**

**To: AMAZON LOGISTICS, INC.  
SERVING REGISTERED AGENT CORPORATION SERVICE COMPANY  
D/B/A CSC LAWYERS INCORPORATING SERVICE COMPANY  
211 E 7TH STREET SUITE 620  
AUSTIN TX 78701-3218**

**GREETINGS:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at [TexasLawHelp.org](http://TexasLawHelp.org). Your answer should be addressed to the clerk of the 193rd District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MORIAH GONZALEZ**

Filed in said Court **29th day of July, 2021** against

**AMAZON LOGISTICS, INC., AMAZON.COM SERVICES, LLC, GREEN LOGISTICS LLC  
AND JOSEPH YTENEY**

For Suit, said suit being numbered **DC-21-09899**, the nature of which demand is as follows:

Suit on **MOTOR VEHICLE ACCIDENT** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.

Given under my hand and the Seal of said Court at office this 4th day of August, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By *Kari Malone*, Deputy  
**KARI MALONE**



**ESERVE**

**CITATION**

**DC-21-09899**

**MORIAH GONZALEZ  
vs.  
JOSEPH YTENEY, et al**

**ISSUED THIS  
4th day of August, 2021**

**FELICIA PITRE  
Clerk District Courts,  
Dallas County, Texas**

By: **KARI MALONE**, Deputy

**Attorney for Plaintiff  
JAMSHYD MICHAEL ZADEH  
1555 RIO GRANDE AVE  
FT WORTH TX 76102  
817-335-5100  
[jim@zadehfir.com](mailto:jim@zadehfir.com)**

**DALLAS COUNTY  
SERVICE FEES  
NOT PAID**

**OFFICER'S RETURN**

Case No. DC-21-09899

Court No. 193rd District Court

Style: MORIAH GONZALEZ

vs.

JOSEPH YTENNEY, et al

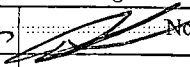
Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. Executed at \_\_\_\_\_,  
 within the County of \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. on the \_\_\_\_\_ day of \_\_\_\_\_,  
 20\_\_\_\_, by delivering to the within named \_\_\_\_\_

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by  
 me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ \_\_\_\_\_  
 For mileage \$ \_\_\_\_\_ of \_\_\_\_\_ County,  
 For Notary \$ \_\_\_\_\_ By \_\_\_\_\_ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
 to certify which witness my hand and seal of office.

Date	Time	Sign
8/23/21	6 PM	

Notary Public \_\_\_\_\_ County \_\_\_\_\_

CAUSE NO. DC-21-09899

MORIAH GONZALEZ

Plaintiffs

V.

JOSEPH YTENEY;  
GREEN LOGISTICS LLC;  
AMAZON LOGISTICS, INC.;  
AMAZON.COM SERVICES, LLC

Defendants

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

193rd

JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Moriah Gonzalez, Plaintiff, complaining of Joseph Yteney, Green Logistics LLC, Amazon Logistics, Inc., and Amazon.com Services, LLC ("Defendants), and would show this Court as follows:

**I.****DISCOVERY PLAN LEVEL 3**

1. Plaintiffs request that this lawsuit be governed by Discovery Plan Level 3 pursuant to Rule 190.4 of the Texas Rules of Civil Procedure.

**II.****PARTIES**

2. Plaintiff Moriah Gonzalez, is an individual resident of Dallas County, Texas.

3. Defendant Joseph Yteney is an individual resident of Broward County, Florida and he may be served at his usual place of residence 2725 9<sup>th</sup> Street, Fort Lauderdale, Florida 33312,

or any other place where he may be found.

4. Defendant Green Logistics LLC, is a limited liability company doing business in Texas and may be served with citation by and through its registered agent for service, Sira Capital, 1050 Brickell Ave, #1514, Miami, Florida 33131, or any other place where they may be found.

5. Defendant Amazon Logistics, Inc. is a foreign corporation doing business in Texas that can be served with citation by serving its registered agent, Corporation Service Company d/b/a CSC Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218.

6. Defendant Amazon.com Services, LLC is a foreign corporation doing business in Texas that can be served with citation by serving its registered agent, Corporation Service Company d/b/a CSC Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218.

### III.

#### **JURISDICTION AND VENUE**

7. This court has jurisdiction over this case and the damages sought are within the jurisdictional limits of this court. Venue for this suit is proper in Dallas County, Texas because all or a substantial part of the events giving rise to the cause of action occurred in Dallas County. Plaintiff pleads damages pursuant to Tex. R. Civ. P. 47(c)(3).

### IV.

#### **FACTUAL BACKGROUND**

8. This is a suit for negligence. On or about November 5, 2019, Plaintiff was traveling southbound on Southport Parkway in Dallas County, Texas in the right lane. At the same time, Defendant Joseph Yteney was also traveling southbound on Southport Parkway but was travelling

in the left lane. Defendant Joseph Yteney changed lanes when unsafely attempting to take a right turn into a private drive of an Amazon facility and struck Plaintiff's vehicle. Defendant Joseph Yteney was operating a truck and trailer in which the truck was owned and operated by Defendant Green Logistics LLC and the trailer was owned by Amazon Logistics, Inc. and/or Amazon.com Services, LLC. Defendant Joseph Yteney was in performing services for Amazon Logistics, Inc. and/or Amazon.com Services, LLC at the time of the collision. Defendant Joseph Yteney was operating in the course and scope of his employment with Defendant Green Logistics LLC and as a delivery person on behalf of for Amazon Logistics, Inc. and/or Amazon.com Services, LLC.

V.

**CAUSES OF ACTION**

9. Plaintiff incorporates each and every of the foregoing paragraphs as if fully set forth herein. Defendants Green Logistics LLC and Joseph Yteney had common-law and statutory duties to use ordinary care in the operation of their vehicle. They negligently breached those duties and that negligence proximately caused Plaintiff's injuries and damages. Specifically, Defendant Joseph Yteney was negligent in the following particulars:

- a. failing to keep a proper lookout;
- b. failing to timely apply the brakes;
- c. failing to control his speed;
- d. making unsafe movements directly into Plaintiff's lane of traffic;
- e. failing to maintain proper control of the vehicle;
- f. in all things failing to act as a reasonable person using ordinary care in the same or similar circumstances.

**VI.**

**RESPONDEAT SUPERIOR NAD AGENCY**

10. Plaintiff alleges that at the time of the occurrence in question made the basis of this lawsuit which occurred on or about November 5, 2019, Defendant Joseph Yteney was acting as the agent, employee and/or servant of Defendants Green Logistics LLC, Amazon Logistics, Inc. and/or Amazon.com Services, LLC such that under the doctrines of respondeat superior and/or agency, Defendant Green Logistics LLC, Amazon Logistics, Inc. and/or Amazon.com Services, LLC are liable to Plaintiff for his injuries and resulting damages caused by the negligence of Defendant Joseph Yteney.

**VII.**

**DAMAGES**

11. Because the bodily injuries of Plaintiff Moriah Gonzalez were proximately caused by Defendants' negligence, Plaintiff Moriah Gonzalez is entitled to reasonable and proper compensation for the following legal damages:

- a. past and future medical expenses;
- b. past and future physical pain and mental anguish;
- c. past and future physical impairment; and
- d. past and future disfigurement.
- e. past lost wages and future lost wage-earning capacity.

**VIII.**

**JURY DEMAND**

12. Pursuant to Texas Rule of Civil Procedure 216, Plaintiff requests a trial by jury and would show that the appropriate fee is paid contemporaneously with the filing of this Petition.

IX.

**PRAYER**

Plaintiff prays that she has judgment against Defendants, jointly and severally, for actual damages shown and proved at trial, for prejudgment and post-judgment interest, for costs of court and for all other relief, legal and equitable, to which she is entitled.

Respectfully submitted,

Law Office of Jim Zadeh, P.C.



Jamshyd (Jim) M. Zadeh

State Bar: 22239000

Nick Peele

State Bar: 24097078

Elan Cabrero

State Bar: 24096772

1555 Rio Grande Avenue

817.335.5100 – Telephone

817.335.3974 – Facsimile

[jim@zadehfirm.com](mailto:jim@zadehfirm.com)

[nick@zadehfirm.com](mailto:nick@zadehfirm.com)

ATTORNEYS FOR PLAINTIFF

Michael Anthony Emma

The Law Offices of Michael Anthony Emma

12160 Abrams Road Suite 102

State Bar: 06609200

Dallas, Texas 75243

214-941-0200 – Telephone

214-941-2980 – Facsimile

[memma@swbell.net](mailto:memma@swbell.net)

**CERTIFIED MAIL**

Case 3:21-cv-02249-K Document 1-5 Filed 09/21/21 Page 8 of 8 PageID 24

LECS, Inc.  
3600 W. Pioneer Parkway, Ste. 6  
Arlington, TX 76013



7018 0680 0001 0337 4716



UNITED STATES  
POSTAL SERVICE®



1000

78701

U.S. POSTAGE PAID  
FCM LETTER  
ARLINGTON, TX  
76013  
AUG 23, 21  
AMOUNT

**\$7.20**

R2304N117297-99

Corporate Service Company  
211 E. 7th Street, Suite 620  
Austin, TX 78701-3218

78701-321870

